

REMARKS

Claim Rejections under 35 U.S.C 103(a)

Claims 1-4, 6, 7, 9-10 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook (US Pat. No. 6,157,532) in view of Liu (US Pat. No. 6,257,682) and Gan (US Pat. No. 6,392,874). Applicant cannot agree with Examiner's rejection because the Gan reference is not an effective reference for reasons given below.

The instant application was filed on 12/10/2001. The effective filing date (EFD) of Gan reference to challenge the novelty of the instant application is 11/17/2000.

Understandably, because the filing date of the instant application, i.e., 12/10/2001 is earlier than the issue date of the Gan reference, i.e., 5/21/2002, there should be NO § 103 rejection. Instead, only the §102(e)/103 rejection exists because only the filing date of Gan reference, i.e., 11/17/2000, antedates the filing date of the instant application, i.e., 12/10/2001.

Under this condition, according to 35 U.S.C. 103(c) in which "Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.", the Gan reference can **NOT** render obvious the instant application because the Gan reference and the instant invention both were assigned to the same assignee, Hon Hai Precision Ind. Co., Ltd. (see the enclosed assignment recordation notice letter from PTO).

After removing the Gan reference from the 103 rejection, the remaining Cook and Liu can no longer render obvious the instant invention.

In addition, Claim 1 further defines that the top panel comprises a catch snappingly engaged between the rear plate and the blocking section of the locking bar, thereby retaining the top panel to the at least one of the front plate and side. That is, that the top panel forms the catch is to secure the top panel itself to the base.

Differently, the catch 60 of Cook is a resilient member, and formed on the panel 24, for biasing the bar 30 thereby retaining *another panel 22* in place, rather than retaining the panel 24 itself in place as defined in Claim 1. Thus, the catch of the instant invention is obviously different from that of Cook and hence is novel.

Accordingly, Claim 1 is believed to be patentably distinguished over Cook and Liu and in addition for allowance. Claims 2-15 should also be patentable since they each include all of the limitations of Claim 1.

Applicant has added new claims 16-19. Claim 16 defines that the locking mechanism is movable between a locked position in which the side and top panels (80, 90) are retained to the base by the locking mechanism, and an unlocked position in which the side and top panels are independently released from the base. That is, the single locking bar retains BOTH of the side and top panels to the base.

Partially, Cook and Liu each disclose a locking bar (30, 226) being movable between a locked position in which only the side panel (22, 202) is retained to the chassis (10, 204), and an unlocked position in which only the side panel is released from the chassis. That is, each of the locking bars of Cook and Liu retains ONLY ONE panel, i.e., the side panel (22, 202), rather than two panels, i.e., the side and

top panels (80, 90) as defined in Claim 16 of the instant invention.

In addition, the ways the locking bar of Cook and Liu retain the respective side panels are substantially the same, i.e., the chassis forms a plurality of openings, the locking bar forms a plurality of slots aligned with the openings, and the side panel forms a plurality of locking tabs extending through the openings and engaged in the slots. The differences between Cook and Liu are that the locking bar of Cook moves along a bottom plate and the openings are defined in the bottom plate, while the locking bar of Liu moves along a rear plate and the openings are defined in the rear plate.

Thus, even a combination of Cook and Liu can only obviously result in a locking bar being movable along a bottom plate to retain a side panel to the enclosure, and another locking bar being movable along a rear plate to retain another side panel to the enclosure. There is **NO** teaching, suggestion or motivation in both Cook and Liu to further modify such a hypothetical combination to **have only one locking bar to retain BOTH of the two side panels, and further change one of the side panels to a top panel as defined in the new claim 16.**

Accordingly, Claim 16 is believed to be patentably different from Cook and Liu and in condition for allowance. Claims 17-19 should also be patentable since they each include all of the limitations of Claim 16.

The added claim 20 essentially defines subject matters of the invention similar to claim 16, i.e., dual locking of both the side panel and the top panel, but from a different viewpoint, and thus is also believed patentable.

In view of the foregoing, the application as claimed in the pending claims is in condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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FEBRUARY 13, 2002

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RECORDATION DATE: 12/10/2001

REEL/FRAME: 012387/0398
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

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DOC DATE: 11/18/2001

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SERIAL NUMBER: 10016413
PATENT NUMBER:

FILING DATE: 12/10/2001
ISSUE DATE:

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